

**Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Office of Medicaid**

**NOTICE OF PUBLIC HEARING**

Pursuant to the authority of M.G.L. c. 6A, s. 16 and in accordance with M.G.L. c. 30A, s. 2, a public hearing will be held on Thursday, June 26, 2008, at 1:00 PM in the Daley Room at the Division of Health Care Finance and Policy on the 5<sup>th</sup> Floor, 2 Boylston Street (China Trade Building), Boston, MA relative to the adoption of:

**130 CMR 409.000: Durable Medical Equipment**

The current MassHealth Durable Medical Equipment (DME) regulations broadly describe provider and member eligibility requirements and covered and non-covered services for DME and medical supplies. MassHealth DME regulations have not been revised in their entirety since 1998 and DME has undergone many changes since then at a federal and state level.

This proposed regulation focuses on strengthening provider qualifications to be enrolled as a MassHealth DME provider, which will support recredentialing efforts. These revisions will also clarify covered and non-covered services, remove language regarding pricing, since all pricing matters are now covered in the DHFCP regulation, clarify and strengthen language related to prior authorization and DME, and clarify language related to DME provided to members in facilities. In addition, many changes have been made with DHCFP to streamline rates and billing for DME that have had a positive impact on providers.

The proposed regulation is planned to go into effect no sooner than August 1, 2008. There is no fiscal impact on cities and towns.

Interested parties are encouraged to submit comments on these proposed regulations. All persons desiring to be heard on this matter are hereby notified to appear at the designated time and place. Persons who notify EOHHS that they intend to speak will be afforded an early opportunity to testify if EOHHS receives notice by 5:00 P.M. on Wednesday, June 25, 2008. Contact us by telephone at 617-573-1770 or by fax at 617-573-1894. If you do not provide EOHHS with advance notice of your desire to speak, you will still be given an opportunity to do so if you appear at the hearing. Written comments will be accepted up until 5:00 P.M. on Tuesday, July 1, 2008, and may be sent to the Executive Office of Health and Human Services, Office of Medicaid, One Ashburton Place, Room 1109, Boston, MA 02108, or e-mailed to [masshealthpublicnotice@state.ma.us](mailto:masshealthpublicnotice@state.ma.us). E-mailed comments should contain the sender's name, mailing address, and organization or affiliation, if any.

All persons desiring to review the current draft of the proposed actions may go to [www.mass.gov/masshealth/proposedregs](http://www.mass.gov/masshealth/proposedregs) or request a copy in writing or in person from MassHealth Publications, 600 Washington Street, Boston, MA 02111.

MassHealth may adopt a revised version of the proposed actions taking into account relevant comments and any other practical alternatives that come to its attention.